

## Introduced by Senator Dutton

February 23, 2006

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An act to amend Section 10783 of the Revenue and Taxation Code, and to amend Section 9105 of, the Vehicle Code, relating to vehicles.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1498, as introduced, Dutton. Vehicles: fee and tax exemption: military.

Existing law exempts disabled veterans, former American prisoners of war, and a veteran who is a Congressional Medal of Honor recipient, from the payment of vehicle registration fees and the payment of charges under the Vehicle License Fee Law.

This bill would exempt an active member of the California National Guard and a member serving on active duty in the United States Armed Forces, who are serving outside of this state in a military conflict during a time of war, as defined, from the payment of the specified fees and charges, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 10783 of the Revenue and Taxation
- 2 Code is amended to read:
- 3 10783. (a) The license fee imposed by this part does not
- 4 apply to a passenger vehicle, a motorcycle, or a commercial
- 5 vehicle of less than 8,001 pounds unladen weight, unless the
- 6 vehicle is used for transportation for hire, compensation, or
- 7 profit, if the vehicle is owned by ~~any~~ a disabled veteran, as
- 8 defined in Section 295.7 of the Vehicle Code, ~~any~~ a former

1 American prisoner of war, ~~or any~~ a veteran who is a  
2 Congressional Medal of Honor recipient, *an active member of the*  
3 *California National Guard serving outside of this state or a*  
4 *member serving on active duty in the United States Armed*  
5 *Forces outside of this state in a military conflict during a time of*  
6 *war, as defined in Section 18 of the Military and Veterans Code.*

7 (b) The exemption granted by subdivision (a) shall extend to  
8 not more than one vehicle owned by the veteran, ~~or~~ former  
9 American prisoner of war, *member of the California National*  
10 *Guard, or member serving in the United State Armed Forces,* and  
11 is applicable to the same vehicle as described in subdivision (b)  
12 of Section 9105 of the Vehicle Code.

13 (c) (1) The Department of Motor Vehicles may require ~~any a~~  
14 disabled veteran applying for an exemption under this section to  
15 submit a certificate signed by a physician or surgeon  
16 substantiating the disability.

17 (2) The Department of Motor Vehicles may require ~~any a~~  
18 person applying for an exemption under this section for ~~either of~~  
19 the following reasons to do ~~any of~~ the following:

20 (A) By reason of the person's status as a former American  
21 prisoner of war, to show, by satisfactory proof, his or her former  
22 prisoner-of-war status.

23 (B) By reason of the person's status of receiving the  
24 Congressional Medal of Honor, to show, by satisfactory proof,  
25 that he or she is a Congressional Medal of Honor recipient.

26 ~~(d) This section shall become operative on July 1, 1999.~~

27 (C) *By reason of the person's status as an active member of*  
28 *the California National Guard or a member serving on active*  
29 *duty in the United States Armed Forces, by satisfactory proof,*  
30 *that he or she is serving in that capacity outside of this state in a*  
31 *military conflict during a time of war, as defined in Section 18 of*  
32 *the Military and Veterans Code.*

33 SEC. 2. Section 9105 of the Vehicle Code is amended to  
34 read:

35 9105. (a) The fees specified in this code, except fees for  
36 duplicate plates, certificates, or cards, need not be paid for ~~any of~~  
37 the following vehicles, that are of a type subject to registration  
38 under this code, and that are not used for transportation for hire,  
39 compensation, or profit, when owned by any former American  
40 prisoner of war, ~~any a~~ disabled veteran, ~~or any a~~ Congressional

1 Medal of Honor recipient, *a active member of the California*  
2 *National Guard or a member serving on active duty in the United*  
3 *States Armed Forces, serving outside of this state, in a military*  
4 *conflict during a time of war, as defined in Section 18 of the*  
5 *Military and Veterans Code .*

6 (1) Any passenger motor vehicle.

7 (2) Any motorcycle.

8 (3) Any commercial motor vehicle of less than 8,001 pounds  
9 unladen weight.

10 (b) The exemption granted by subdivision (a) shall not extend  
11 to more than one vehicle owned by ~~any~~ *a former American*  
12 *prisoner of war, any a disabled veteran, or any a Congressional*  
13 *Medal of Honor recipient, a member of the California National*  
14 *Guard, or a member serving in the United States Armed Forces,*  
15 *serving outside of this state, and is applicable to the same vehicle*  
16 *as described in subdivision (b) of Section 10783 of the Revenue*  
17 *and Taxation Code.*

18 (c) (1) The department may require ~~any~~ *a disabled veteran*  
19 *applying for an exemption under this section to submit a*  
20 *certificate signed by a physician or surgeon substantiating the*  
21 *disability.*

22 (2) The department may require ~~any~~ *a person applying for an*  
23 *exemption under this section for either of the following reasons*  
24 *to do any of the following:*

25 (A) By reason of the person's status as a former prisoner of  
26 war, to show, by satisfactory proof, his or her former  
27 prisoner-of-war status.

28 (B) By reason of the person's status of receiving the  
29 Congressional Medal of Honor, to show, by satisfactory proof,  
30 that he or she is a Congressional Medal of Honor recipient.

31 ~~(d) This section shall become operative on July 1, 1999.~~

32 (C) *By reason of the person's status as an active member of*  
33 *the California National Guard, or a member serving in active*  
34 *duty in the United States Armed Forces, by satisfactory proof,*  
35 *that he or she is serving in that capacity, outside of this state in a*  
36 *military conflict during a time of war, as defined in Section 18 of*  
37 *the Military and Veterans Code.*